

Interview Summary	Application No.	Applicant(s)	
	09/409,644	LEWIS ET AL.	
	Examiner	Art Unit	
	Arlen Soderquist	1743	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Arlen Soderquist. (3) _____.
 (2) Joseph R. Baker, Jr.. (4) _____.

Date of Interview: 22 August 2003.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____.

Claim(s) discussed: All generally.

Identification of prior art discussed: all applied.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

ARLEN SODERQUIST,
PRIMARY EXAMINER


Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: discussed the sufficiency of the 37 CFR 1.131 declaration and examiner pointed out that MPEP 715.02 teaches that if an declaration is not fully commensurate in scope with the rejected claim, a rejection may be overcome by showing that the differences between the claimed invention would have been obvious to one of ordinary skill in the art. Examiner indicated that this is the situation that he feels the submitted declaration is in since there was not evidence to show that the metals would have been viewed by one of ordinary skill in the art as an obvious variant of the carbon black in the declaration. Indicated that a sufficient showing to supplement the declaration would take the three references listed in the declaration out of the current reference combination used to show obviousness. Discussed how the references were being applied against the limitations of claim 98 and examiner indicated a possible manner in which the claim could be interpreted that the electrochemical sensors would anticipate the claim. This was due to the claim language only requiring the sensing area to be in electrical communication with and between the two electrical contacts. Discussed claim 126 in relation to why the de Lacy Costello reference is being applied even though it has a semiconductor particle.